

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Rolanda Brown,

Plaintiff,

vs.

Diversified Consultants, Inc.,
a foreign corporation,

Defendant.

Case No.:

COMPLAINT

JURY TRIAL DEMAND

NOW COMES THE PLAINTIFF, ROLANDA BROWN, BY AND
THROUGH COUNSEL, FRANCS ARENAS, ESQ., and for her Complaint
against the Defendant, pleads as follows:

JURISDICTION

1. This court has jurisdiction under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.

VENUE

2. The transactions and occurrences which give rise to this action occurred in the City of Las Vegas, Clark County, Nevada.
3. Venue is proper in the District of Nevada.

PARTIES

4. Plaintiff is a natural person residing in City of Las Vegas, Clark County, Nevada.
5. The Defendant to this lawsuit is Diversified Consultants, Inc., which is a foreign corporation that conducts business in the State of Nevada.

GENERAL ALLEGATIONS

6. Defendant is attempting to collect a consumer type debt allegedly owed by Plaintiff to AT&T in the amount of \$252.00 (“the alleged Debt”).
7. Plaintiff disputes the alleged Debt.
8. On March 4, 2019, Plaintiff obtained her Trans Union and Equifax credit disclosures and noticed Defendant reporting the alleged Debt.
9. On or about April 5, 2019, Plaintiff sent Defendant a letter disputing the alleged Debt.
10. On June 7, 2019, Plaintiff obtained her Trans Union and Equifax credit disclosures, which showed that Defendant failed or refused to flag the accounts reflected by the alleged Debt as disputed, in violation of the FDCPA. Defendant reported remarks of, “Dispute resolved; reported by grantor.” This is false as Plaintiff still disputes the alleged Debt.
11. In the credit reporting industry, data furnishers, such as the Defendant, communicate electronically with the credit bureaus.

12. Defendant had more than ample time to instruct Experian, Equifax, and Trans Union to flag its tradelines as Disputed.

13. Defendant's inaction to have its tradelines on Plaintiff's credit reports flagged as disputed was either negligent or willful.

14. Plaintiff suffered pecuniary and emotional damages as a result of Defendant's actions. Her credit report continues to be damaged due to the Defendant's failure to properly report the associated tradelines.

VIOLATION OF
THE FAIR DEBT COLLECTION PRACTICES ACT

15. Plaintiff reincorporates the preceding allegations by reference.

16. At all relevant times, Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting Debt on behalf of other individuals or entities.

17. Plaintiff is a "consumer" for purposes of the FDCPA, and the account at issue in this case is a consumer debt.

18. Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).

19. Defendant's foregoing acts in attempting to collect this alleged debt violated the following provisions of the FDCPA:

- a. 15 U.S.C. §1692e(8) by misrepresenting the alleged Debt and communicating to any person credit information which is false or should be known to be false, including failure to report a disputed debt as disputed.

20. To date, and as a direct and proximate cause of the Defendant's failure to honor its statutory obligations under the FDCPA, the Plaintiff has continued to suffer from a degraded credit report and credit score.

21. Plaintiff has suffered economic, emotional, general, and statutory damages as a result of these violations of the FDCPA.

WHEREFORE, PLAINTIFF PRAYS that this court grant her a judgment against Defendant for actual damages, costs, interest, and attorneys' fees.

DEMAND FOR JUDGMENT RELIEF

Accordingly, Plaintiff requests that the Court grant her the following relief against the Defendant:

- a. Actual damages;
- b. Statutory damages;
- c. Statutory costs and attorneys' fees; and
- d. Exemplary and Punitive Damages for Defendant's willful violation of the Fair Debt Collection Practices Act.

JURY DEMAND

Plaintiff hereby demands a trial by Jury.

DATED: August 21, 2019

By: /s/ Francis Arenas

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